

REMARKS

The present amendment is in response to the Office Action dated June 27, 2005, where the Examiner has rejected claims 1-16. By the present amendment, claims 1, 8 and 14 have been amended. Accordingly, claims 1-16 remain pending in the present application. Reconsideration and allowance of pending claims 1-16 in view of the amendments and the following remarks are respectfully requested.

Claim Objections

Paragraph 3 objects to claims 1, 8, and 14 because the claims contain the phrase "the device" which the action states is unclear. Claims 1, 8, and 14 have been amended to overcome this objection; therefore, applicant respectfully requests that the objection to claims 1, 8, and 14 be withdrawn in view of the amendments.

Claim Rejections Under §102:

Paragraph 4 rejects claims 1-4, 14, 15, and 16 under 35 U.S.C. 102(b) as being anticipated by Cyan (United States Patent No. 5,564,086). Applicant respectfully traverses the rejection of claims 1 and 14 because, *inter alia*, Cyan does not teach "a processor configured to read the measured power of the transmit signal and the measured power of the reflected signal and generate a first control signal configured to control a matching network and a second control signal configured to control an amplifier, wherein both the first and second control signals are based on the measured power of the transmit signal and the measured power of the reflected signal" as specified by amended claims 1 and 14.

The present application is directed to systems and methods for controlling output power in a communication device, including controlling both a matching circuit and an amplifier output power based on the detected transmit and reflected power. By controlling both the matching circuit and amplifier power, as taught in the present application, a communication device can better adapt to changing conditions that can cause power to be reflected back from the antenna. [see Summary pg 12]

Cyan, on the other hand, teaches a processor 110 that can control a variable matching network 111 (See col. 4, Ins. 42-46). Nothing in Cyan teaches controlling the matching network and the power amplifier based on transmitted and reflected power, as described and claimed in claims 1 and 14.

In order to sustain a rejection under 35 U.S.C. 102(b), the cited reference must teach each and every claim limitation. (See MPEP §2131). Moreover, “the identical invention must be shown in as complete detail as contained in the . . . claim.” (See MPEP §2131, citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). Cyan cannot, therefore, anticipate claims 1 and 14, because Cyan fails to teach each and every element of claims 1 and 14 as amended.

Applicant therefore respectfully requests that the rejection as to claims 1 and 14 be withdrawn. Claims 2-4, depend from claim 1 and are allowable for at least the reasons discussed above with respect to claim 1. Claims 15 and 16, depend from claim 14 and are allowable for at least the reasons discussed above with respect to claim 14. Applicant therefore respectfully requests that the rejection as to claims 2-4 and 15 and 16 be withdrawn.

Paragraph 5 rejects claims 1-4, and 8-16 under 35 U.S.C. 102(b) as being anticipated by Sroka (United States Patent No. 5,778,308). Applicant respectfully traverses the rejection of claims 1, 8, and 14 because, like Cyran, Sroka does not teach “a processor configured to read the measured power of the transmit signal and the measured power of the reflected signal and generate a first control signal configured to control a matching network and a second control signal configured to control an amplifier, wherein both the first and second control signals are based on the measured power of the transmit signal and the measured power of the reflected signal” as taught in amended claims 1, 8, and 14.

Like Cyran, Sroka teaches a processor 32 that is configured to control a variable matching network 31 only (See col. 4, lns. 28-29). Nothing in Sroka teaches controlling the matching network and the power amplifier based on transmitted and reflected power, as described and claimed in claims 1 and 14. Thus, Sroka cannot, therefore, anticipate claims 1, 8, and 14, because Sroka fails to teach each and every element of claims 1, 8, and 14 as amended.

Applicant therefore respectfully requests that the rejection as to claims 1, 8, and 14 be withdrawn. Claims 2-4, depend from claim 1 and are allowable for at least the reasons discussed above with respect to claim 1. Claims 9-13, depend from claim 8 and are allowable for at least the reasons discussed above with respect to claim 8. Claims 15 and 16, depend from claim 14 and are allowable for at least the reasons discussed above with respect to claim 14. Applicant therefore respectfully requests that the rejection as to claims 2-4, 9-13, and 15 and 16 be withdrawn.

Claim Rejections Under §103:

Paragraph 6 of the Action rejects claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Sroka in view of Lurey (U.S. Patent 4,019,150). Claims 5-6 ultimately depend from claim 1. Claims 5 and 6 are, therefore, allowable for at least the same reasons discussed above with respect to claim 1 since Lurey fails to overcome the deficiencies of Sroka. Accordingly, Applicant asserts that Claims 5 and 6 are allowable over Sroka and Lurey, alone or in combination, and Applicant respectfully requests that the rejection as to claims 5 and 6 be withdrawn.

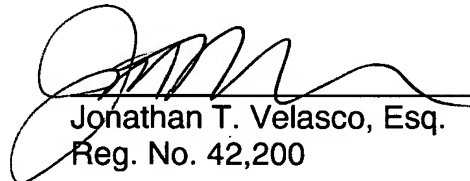


CONCLUSION

For all the foregoing reasons, an early allowance of claims 1-16 pending in the present application is respectfully requested.

Respectfully Submitted;

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